



SOUTH CAROLINA DEPARTMENT OF CORRECTIONS PREA ANNUAL REPORT - 2023



MISSION

TO SAFEGUARD SOUTH CAROLINIANS BY
PROVIDING A SECURE AND REHABILITATIVE
ENVIRONMENT WITHIN OUR CORRECTIONAL
INSTITUTIONS THEREBY SUPPORTING
REINTEGRATION INTO SOCIETY.



SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

OFFICE OF LEGAL AND COMPLIANCE



Bryan P. Stirling, Director

Henry McMaster, Governor

Prison Rape Elimination Act (PREA) Coordinator's
Annual PREA Report

Date: August 1, 2024

To: Bryan P. Stirling, Agency Director

Through: Salley Elliott, Deputy Director of Legal and Compliance

From: Kenneth L. James, Agency PREA Coordinator

Subject: PREA Compliance Annual Report for Year 2023

Reference: (a) Sections 1560-09 of Title 42, United States Code (PREA)
 (b) 28 CFR 115; Prison Rape Elimination Act- National Standards
 (c) Section 44-23-1150; SC Code of Laws
 (d) SCDC Policy GA-06.11; Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment; and GA-06.11B, "Applying the PREA Standards"

Enclosure: Prison Rape Elimination Act (PREA) Findings and Corrective Actions

PREA Standards §115.88 and §115.89 require the South Carolina Department of Corrections (SCDC) to prepare an annual report relative to our Agency's efforts to assess and improve the effectiveness of sexual abuse prevention, detection, and response during the previous calendar year. Additionally, the standards require that the enclosed report be posted on our Agency's website for public access. This report meets the requirements of the PREA Standards and is approved through the PREA Coordinator's Office, the Office of Legal and Compliance, and the Office of the Director by signature below.

s/ Salley Elliott
Salley Elliott, Deputy Director of Legal & Compliance

s/ Bryan P. Stirling
Bryan P. Stirling, Agency Director



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MESSAGE FROM THE AGENCY PREA COORDINATOR



Bryan P. Stirling, Director

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

OFFICE OF LEGAL AND COMPLIANCE



Henry McMaster, Governor

Annual PREA Report

Background and Introduction

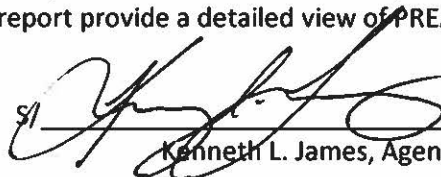
The Prison Rape Elimination Act (PREA) was signed into federal law by President George W. Bush in September 2003. The purpose of the law is to provide information, resources, recommendations, and funding to protect individuals from sexual harassment and sexual abuse in confinement facilities. SCDC maintains a “zero tolerance” policy against sexual abuse and sexual harassment and provides guidelines for the prevention, detection, response, investigation, and tracking of allegations of sexual abuse and sexual harassment of offenders within the Agency’s 21 state prison facilities.

All sexual abuse and sexual harassment allegations are investigated. Each case is documented on an incident report and entered into SCDC’s PREA Event Database. All investigators have received specialized investigations training. The originating facility is required to complete an administrative investigation and is required to retain all investigation documents at the local level. Allegations can also be criminally investigated by our Office of the Inspector General’s investigators depending on the nature of the alleged incident. Upon completion of each investigation, appropriate disciplinary action is taken against the perpetrator; where criminal intent is discovered, the case is presented to SCDC’s Criminal Prosecution Division.

The South Carolina Department of Corrections is continually striving to improve the reporting and investigation methods to ensure the highest level of compliance, as well as swift corrective action where needed. The Agency’s zero tolerance policy aims not only to protect all offenders in SCDC from sexual harassment and sexual abuse, but to also protect anyone who reports an allegation from retaliation.

Purpose

This report summarizes all PREA allegations that were made in 2023. Data from all institutions is collected and aggregated to report on the four categories: 1) Inmate-on-Inmate Sexual Abuse; 2) Inmate-on-Inmate Sexual Harassment; 3) Staff-on-Inmate Sexual Abuse (Misconduct); and 4) Staff-on-Inmate Sexual Harassment. In addition, upon completion of an investigation, all allegations will be deemed one of the four dispositions: 1) *Substantiated* (the allegation was determined to have occurred); 2) *Unsubstantiated* (there was insufficient evidence to make a final determination as to whether the event did or did not occur); 3) *Unfounded* (the allegation was proven to not have occurred); or 4) *Outcome Pending* (the investigation is still in process). The following pages of this report provide a detailed view of PREA Allegations in 2023.

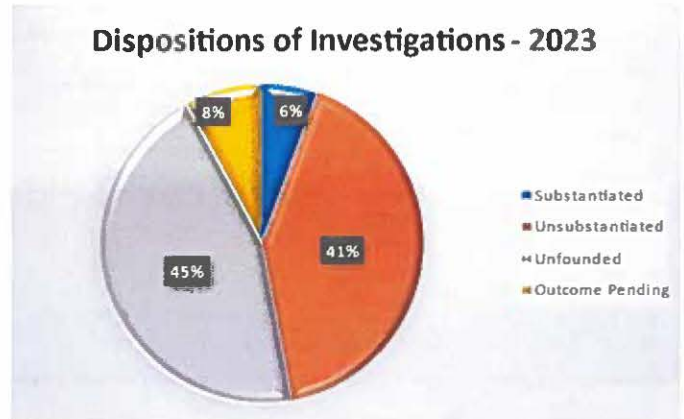

Kenneth L. James, Agency PREA Coordinator

REPORT SUMMARY



The PREA Coordinator’s Office, under the Office of Legal and Compliance, is pleased to provide this annual report of PREA activities and implementation efforts for 2023.

In 2023, SCDC received 377 reported allegations of sexual abuse and sexual harassment. The SCDC Office of the Inspector General (OIG) investigated 20% of these allegations for criminal intent, while institutional investigators examined 80%. Out of the total number of reports, 29% were allegations of inmate-on-inmate abuse, and 26% were allegations of staff-on-inmate abuse. Of the 377 allegations, 6% were substantiated, 41% were unsubstantiated, and 45% were unfounded. There are also 8% of the cases still pending outcomes.



In addition to the Agency's Division of Training and Staff Development's annual mandatory PREA training, training on the National PREA Standards, and SCDC Policy GA-06.11, "Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment," was provided at each Agency Onboarding, Orientation, and Basic Training class in 2023.

SCDC continues our agreements with ten (10) Rape Crisis Centers (RCCs) to provide emotional support services to incarcerated survivors of sexual abuse. The RCCs provide hundreds of hours of support to survivors inside SCDC, including face-to-face contacts, group sessions, written correspondence, and phone calls through a toll-free hotline. In addition, video conferencing and distribution of pre-recorded trauma trainings were provided. SCDC continues to apply for grant programs which assist SCDC with purchasing equipment, developing programs, and enhancing the Agency’s compliance with the National PREA Standards.

2023 PREA Audits:

In 2023, a PREA Auditor certified by the United States Department of Justice audited seven (7) SCDC institutions for compliance with the National PREA Standards. All seven institutions were found fully compliant. These institutions are as follows:

Broad River Correctional Institution – August 2023	Lee Correctional Institution – December 2023
Evans Correctional Institution – September 2023	Perry Correctional Institution – January 2024
Livesay Correctional Institution – October 2023	Ridgeland Correctional Institution – February 2024
Tyger River Correctional Institution – November 2023	

Of note, Broad River C.I., Evans C.I., and Livesay C.I. received four “Exceeds” on their Final Audit Report; Tyger River C.I., Lee C.I., and Perry C.I. received three “Exceeds,” and Ridgeland C.I. received two “Exceeds” on their Final Audit Report.

Aggregated Allegations of Sexual Abuse/Sexual Harassment with Female Victim v. Male Victim Comparisons



Per the aggregation of data for 2023, there were a total of 26 female alleged victims and 351 male alleged victims of sexual abuse/sexual harassment, which equates to 7% of the total that were female and 93% were male alleged victims of the 377 total reported allegations.

Allegation Type	Female Victims	Male Victims	Total 2023
Inmate-on-Inmate Sexual Abuse			
Substantiated	0	1	1
Unsubstantiated	4	41	45
Unfounded	3	41	44
Pending Outcome	1	19	20
Total:	8	102	110

Allegation Type	Female Victims	Male Victims	Total 2023
Inmate-on Inmate Sexual Harassment			
Substantiated	0	6	6
Unsubstantiated	3	50	53
Unfounded	1	45	46
Pending Outcome	0	1	1
Total:	4	102	106

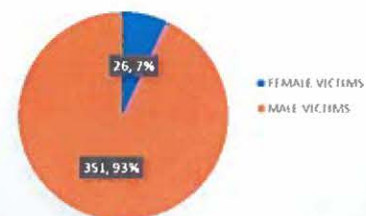
Allegation Type	Female Victims	Male Victims	Total 2023
Staff Sexual Misconduct			
Substantiated	2	10	12
Unsubstantiated	4	29	33
Unfounded	2	46	48
Pending Outcome	0	7	7
Total:	8	92	100

Allegation Type	Female Victims	Male Victims	Total 2023
Staff Sexual Harassment			
Substantiated	0	2	2
Unsubstantiated	1	25	26
Unfounded	5	26	31
Pending Outcome	0	2	2
Total:	6	55	61

GRANT TOTAL:	26	351	377
TOTAL SUBSTANTIATED	2	19	21

Of the 377 reported cases of sexual abuse/sexual harassment in 2023, 21 of these cases were found to be substantiated; 1 of the 21 was an incident of inmate-on-inmate sexual abuse; 6 were inmate-on-inmate sexual harassment; 12 were staff sexual misconduct; and 2 were staff-on-inmate sexual harassment incidents. The majority of incidents were inmate-on-inmate sexual abuse allegations (110); followed by inmate-on-inmate sexual harassment (106), Staff Sexual Misconduct (100), and lastly, staff-on-inmate sexual harassment (61).

Percentage of Female vs. Male Victims





Comparison Data 2021 – 2023

Allegation Type	2021	2022	2023	TOTALS
INMATE ON INMATE SEXUAL ABUSE				
Substantiated	8	4	1	13
Unsubstantiated	58	65	45	168
Unfounded	33	38	44	115
Pending Outcome	5	10	20	35
TOTAL	104	117	110	331
INMATE ON INMATE SEXUAL HARASSMENT				
Substantiated	3	5	6	14
Unsubstantiated	56	39	53	148
Unfounded	41	52	46	139
Pending Outcome	0	0	1	1
TOTAL	100	96	106	302
STAFF SEXUAL MISCONDUCT				
Substantiated	10	9	12	31
Unsubstantiated	38	47	33	118
Unfounded	30	47	48	125
Pending Outcome	2	2	7	11
TOTAL	80	105	100	285
STAFF SEXUAL HARASSMENT				
Substantiated	3	1	2	6
Unsubstantiated	44	30	26	100
Unfounded	32	39	31	102
Pending Outcome	1	3	2	6
TOTAL	80	73	61	214
Totals:	364	391	377	1132
TOTAL SUBSTANTIATED INCIDENTS OF SEXUAL VIOLENCE				
	24	19	21	64

Note: Prior year pending cases for 2021 and 2022 have been updated to reflect their outcomes.

Compared with the 2021 and 2022 data, as presented in the spreadsheet, there was an increase in allegations by 7% (27), and from 2022 to 2023, a decrease of 4% (14). While allegations of inmate-on-inmate sexual harassment have increased since 2022, comparatively, all other allegations have decreased.



Data by Institution

2023 ALLEGATIONS OF INMATE-ON-INMATE SEXUAL ABUSE

FACILITY	POPULATION	SUBSTANTIATED	UNSUBSTANTIATED	UNFOUNDED	PENDING	TOTAL
Allendale CI	901	0	1	3	0	4
Broad River	1020	0	0	6	2	8
Camille-Graham CI	587	0	4	3	1	8
Evans CI	1268	0	4	3	4	11
Goodman CI	135	0	0	0	0	0
Kershaw CI	1302	0	4	0	2	6
Kirkland CI	1593	0	7	1	2	10
Leath CI	467	0	0	0	0	0
Lee CI	1097	0	2	5	0	7
Lieber CI	554	0	0	4	0	4
Livesay CI	390	0	0	0	0	0
MacDougall CI	641	0	0	0	0	0
Manning	475	0	0	2	2	4
McCormick CI	436	0	2	1	0	3
Palmer	124	0	0	0	0	0
Perry CI	802	0	3	2	1	6
Ridgeland CI	1027	0	6	1	1	8
Trenton CI	623	0	0	0	1	1
Turbeville CI	992	1	6	11	4	22
Tyger River CI	1023	0	2	1	0	3
Wateree River CI	503	0	4	1	0	5
Totals	15,960	1	45	44	20	110

2023 ALLEGATIONS OF INMATE-ON-INMATE SEXUAL HARASSMENT

FACILITY	POPULATION	SUBSTANTIATED	UNSUBSTANTIATED	UNFOUNDED	PENDING	TOTAL
Allendale CI	901	3	2	5	0	10
Broad River CI	1020	0	1	4	0	5
Camille-Graham CI	587	0	3	1	0	4
Evans CI	1268	0	4	0	0	4
Goodman CI	135	0	0	0	0	0
Kershaw CI	1302	0	12	1	0	13
Kirkland CI	1593	1	7	1	0	9
Leath CI	467	0	0	0	0	0
Lee CI	1097	0	2	11	0	13
Lieber CI	554	2	2	2	0	6
Livesay CI	390	0	2	0	0	2
MacDougall CI	641	0	2	0	0	2
Manning	475	0	0	0	0	0
McCormick CI	436	0	0	1	0	1
Palmer	124	0	0	0	0	0
Perry CI	802	0	0	2	0	2
Ridgeland CI	1027	0	3	0	0	3
Trenton CI	623	0	3	2	1	6
Turbeville CI	992	0	8	13	0	21
Tyger River CI	1023	0	2	2	0	4
Wateree River CI	503	0	0	1	0	1
Totals	15,960	6	53	46	1	106

2023 ALLEGATIONS OF STAFF ON INMATE SEXUAL MISCONDUCT

FACILITY	POPULATION	SUBSTANTIATED	UNSUBSTANTIATED	UNFOUNDED	PENDING	TOTAL
Allendale CI	901	0	0	2	0	2
Broad River CI	1020	1	6	4	3	14
Camille-Graham CI	587	0	4	1	0	5
Evans CI	1268	0	1	1	0	2
Goodman CI	135	2	0	1	0	3
Kershaw CI	1302	0	1	1	1	3
Kirkland CI	1593	0	5	1	0	6
Leath CI	467	2	0	1	0	3
Lee CI	1097	0	1	5	0	6
Lieber CI	554	0	1	7	0	8
Livesay CI	390	0	1	2	0	3
MacDougall CI	641	1	1	1	0	3
Manning	475	1	0	0	0	1
McCormick CI	436	3	2	3	0	8
Palmer	124	0	0	0	0	0
Perry CI	802	0	4	11	0	15
Ridgeland CI	1027	0	0	0	1	1
Trenton CI	623	0	1	1	0	2
Turbeville CI	992	0	5	2	1	8
Tyger River CI	1023	1	0	2	0	3
Wateree River CI	503	1	0	2	1	4
Totals	15,960	12	33	48	7	100

2023 ALLEGATIONS OF STAFF ON INMATE SEXUAL HARASSMENT

FACILITY	POPULATION	SUBSTANTIATED	UNSUBSTANTIATED	UNFOUNDED	PENDING	TOTAL
Allendale CI	901	0	0	2	0	2
Broad River CI	1020	0	7	5	1	13
Camille-Graham CI	587	0	1	5	0	6
Evans CI	1268	0	1	1	0	2
Goodman CI	135	1	1	0	0	2
Kershaw CI	1302	0	3	1	0	4
Kirkland CI	1593	0	4	0	0	4
Leath CI	467	0	0	0	0	0
Lee CI	1097	0	0	1	1	2
Lieber CI	554	1	0	4	0	5
Livesay CI	390	0	0	0	0	0
MacDougall CI	641	0	1	0	0	1
Manning	475	0	1	2	0	3
McCormick CI	436	0	0	1	0	1
Palmer	124	0	0	0	0	0
Perry CI	802	0	5	5	0	10
Ridgeland CI	1027	0	1	0	0	1
Trenton CI	623	0	0	0	0	0
Turbeville CI	992	0	1	1	0	2
Tyger River CI	1023	0	0	0	0	0
Wateree River CI	503	0	0	3	0	3
Totals	15,960	2	26	31	2	61

Analysis

Institutions with Highest Volume of Cases

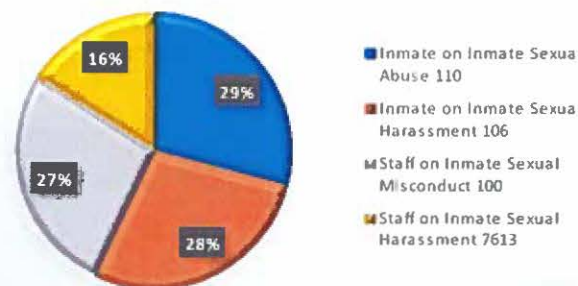
RANK	FACILITY	POPULATION	TOTAL PREA CASES	SUBSTANTIATED CASES
1	Turbeville C.I.	992	53	1
2	Broad River C.I.	1020	40	1
3	Perry C.I.	802	33	0
4	Kirkland C.I.	1593	29	1
5	Lee C.I.	1097	28	0
6	Kershaw C.I.	1302	26	0
7	Camille-Graham C.I.	587	23	0

The table above illustrates that out of 21 institutions, the seven (7) institutions with the highest volume of PREA cases for year 2023 had a low number of substantiated cases.

Type of Cases and Percentage of Total Volume

TYPE OF REPORT	TOTAL CASES	% OF TOTAL VOLUME
Inmate-on-Inmate Sexual Abuse	110	29%
Inmate-on-Inmate Sexual Harassment	106	28%
Staff-on-Inmate Sexual Misconduct	100	27%
Staff-on-Inmate Sexual Harassment	61	16%
Total Cases:		377 cases

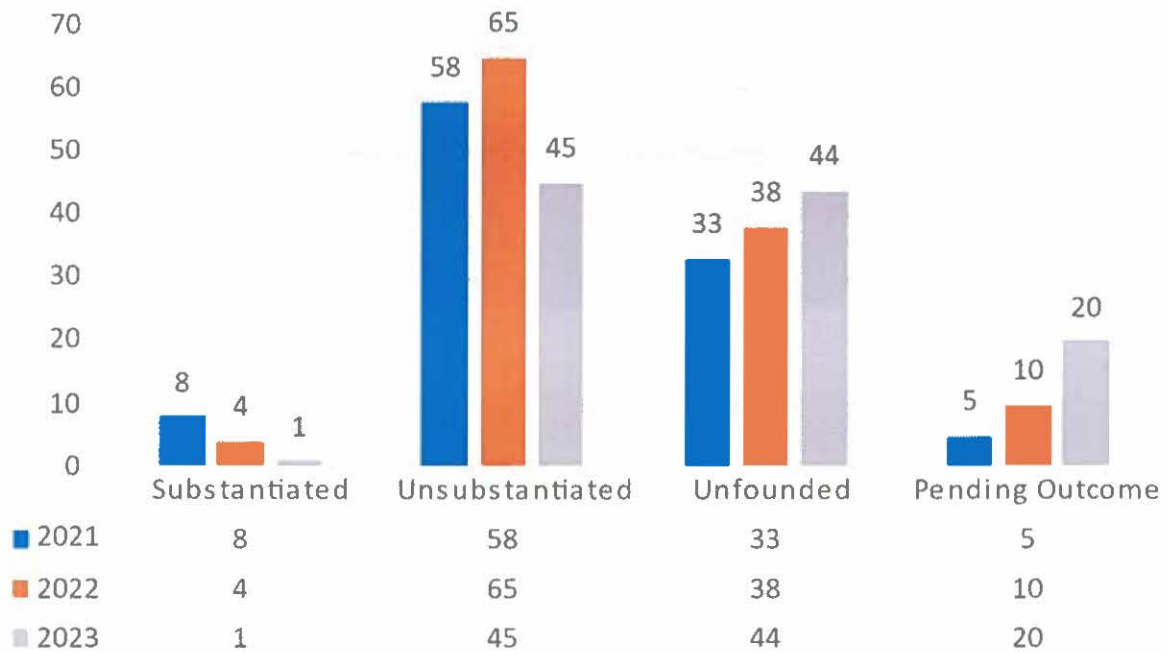
PERCENTAGE OF TOTAL VOLUME



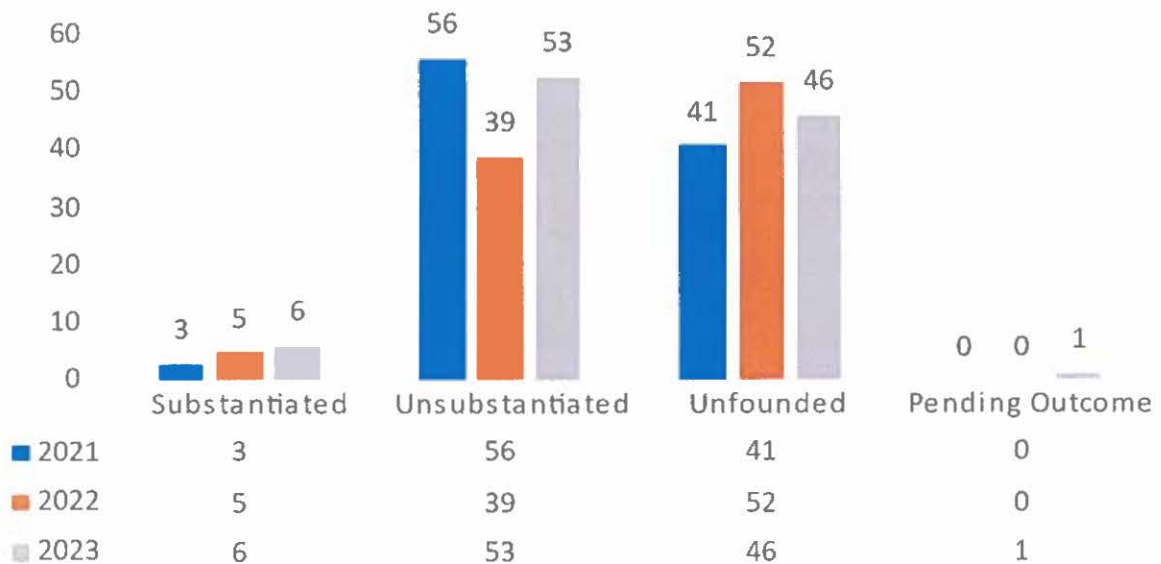
Inmate-on-Inmate sexual abuse cases presented the highest in volume of allegation type for 2023.

Allegation Breakdown

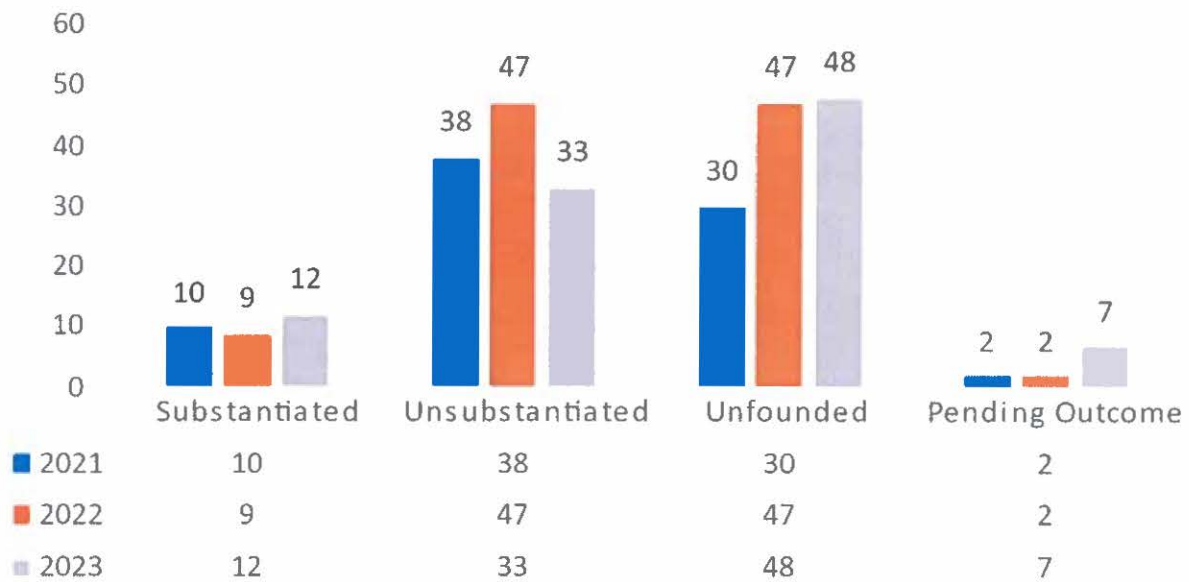
INMATE ON INMATE SEXUAL ABUSE January 1, 2021- December 31, 2023



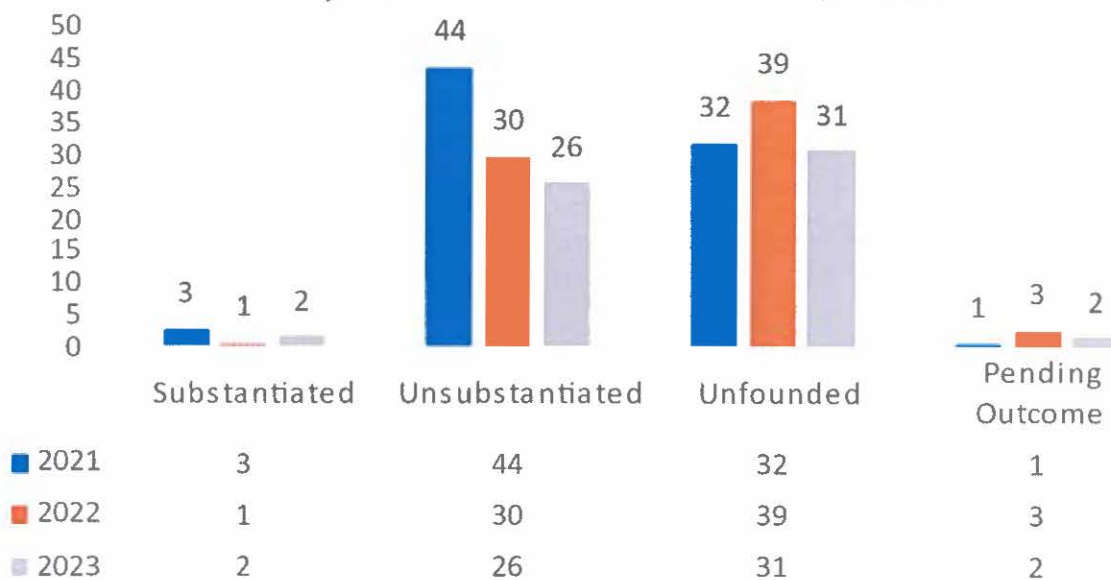
INMATE ON INMATE SEXUAL HARASSMENT January 1, 2021- December 31, 2023



STAFF ON INMATE MISCONDUCT January 1, 2021- December 31, 2023



STAFF SEXUAL HARASSMENT January 1, 2021- December 31, 2023



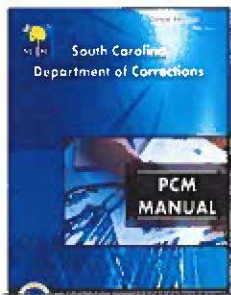
Corrective Actions

To ensure SCDC continues its path maintaining full compliance with the Federal PREA Standards, the Office of Legal and Compliance and PREA Coordinator's Office, in coordination with institutional PREA Compliance Managers, have implemented several corrective actions to address issues for 2023.

1. **Video Monitoring:** SCDC continues to purchase additional cameras and mirrors to improve sexual safety in institutions with grant funds. We will continue to apply for grants to purchase additional monitoring equipment. Furthermore, the SCDC Division of Security is installing purchased cameras throughout the facilities to increase and improve video monitoring throughout the Agency for the protection of incarcerated individuals and staff.
2. **Documentation:** SCDC continually reviews and adjusts our documentation and procedures to better capture information and data to streamline our investigational processes. The PREA Office continually updates training and holds multiple training classes annually to ensure that employees are aware of any new procedures and changes. The Special Victims Unit (SVU), which investigates sexual abuse-related cases, has been vital to this streamlined process since its inception.
3. **Physical Plant:** Due to the age of the buildings, several institutions require repairs and upgrades. The PREA Coordinator's Office is collaborating with Facilities Maintenance to address concerns raised by PREA auditors.
4. **Screening for Risk of Sexual Victimization and Abusiveness:** SCDC continues to improve its initial and 30-day reassessment processes for PREA Risk Screening. In addition, the PREA Office continues to collaborate with other divisions and the Division of Technology Team, as well as outside vendors to purchase an electronic multifunctional database to better manage our cases and systems in the future.
5. **Inmate Education:** SCDC is creating a digital orientation video that includes a pre-recorded inmate peer-led inmate education video that will ensure timely receipt of PREA information to the population. Classification staff will answer any questions inmates have and assist with the presentation process.
6. **Training:** SCDC continues to provide relevant updated SCDC annual PREA training to all staff. In addition, PREA Office staff will begin participating in employee orientation training at SCDC's Training Academy to provide in-person training and scenarios to ensure staff understand the process and their duties. In addition, the PREA Coordinator's Office has RPMs conduct mock audits of case files quarterly, and the PREA Coordinator's Office provides specialized training to institutions in preparation for upcoming audits and the audit process. To address the issue of increased staff sexual misconduct, the PREA Coordinator's office has developed administrative investigations training addressing the conducting of staff interviews, and has also created staff posters warning of the consequences of sexual misconduct as well as the duty to report.

Notable Successes

SCDC continues to make observable strides in achieving and maintaining compliance with the Prison Rape Elimination Act of 2003. In 2023, in Cycle 4 Year 2, all SCDC institutions audited for compliance with the National PREA Standards were fully compliant with each facility audited making at least two or more “Exceeds.” Through an ongoing grant, SCDC provided office space for Pathways to Healing, a local rape crisis center, at Camille-Graham and now at Kirkland R&E to provide both male and female inmates access to the rape crisis center and programs provided by them, such as individual and group counseling, calm groups, mindfulness groups, and more.



The PREA Coordinator’s Office has recently updated its PREA Compliance Manager Manual with updated information and procedures. In addition, improved training was developed regarding how to properly conduct administrative investigations and staff interviews, which include scenarios on what to do and what not to do. It has been very successful.



In addition, Pat/Strip search posters and Staff Duty to Report posters were developed and provided to institutions to post throughout the facilities. The PREA Coordinator’s Office is continuing the pilot program called “Pathfinders,” which trains selected inmates to provide trauma-informed assistance and resources to inmates who experienced sexual trauma. These inmates are activated when limited mental health staff is available, such as at night and on weekends. Their role is to guide their peers to available resources to assist them in their time of need. Five (5) institutions are part of this pilot program with the goal of getting this program running in all our medium and close custody level institutions. SCDC continues to work with Just Detention International (JDI), in a program initiated through JDI called “Cards Across America,” where SCDC inmates create holiday cards to incarcerated individuals at other agency institutions across the United States. JDI sends out these cards promoting cheer during the holidays.





The SCDC PREA Coordinator has presented at three national and international conferences as a “Subject Matter Expert” in PREA implementation in 2023. He presented at the American Correctional Association (ACA) in January, and at the National PREA Coordinator’s Work Group (NPCWG) Annual Conference in July. He is a board member of the NPCWG and a chairman of the steering committee for Juvenile Justice, Community Confinement, and Jails which he created and oversees. He was invited to the 20th Year Convening of PREA held in Washington, DC which was a celebration of 20 years since PREA’s inception. Among the distinguished guests in attendance were sitting U.S. Congressmen, Executive Leaders of the Department of Justice (DOJ) and the Bureau of Justice Assistance (BJA). He also spoke at the End Violence Against Women International (EVAWI) Conference regarding working with survivors of sexual abuse in corrections where he received an award as a Champion of Change for making a lasting impact on the lives of those within the correctional system and for his professional achievements and the values he embodies.

In addition, Associate Warden Michele Carter of Leath Correctional Institution was asked to speak at the NPCWG regarding her work in collaboration with JDI with incarcerated females on the Butterfly Project and Journaling therapy for those individuals who had experienced sexual trauma. SCDC was mentioned several times in this Convening regarding our efforts in compliance, and as a great resource of information in this field.



Mr. James recently received the William E. Leeke Award of Excellence presented by the South Carolina Correctional Association (SCCA) chapter of the ACA for his outstanding contributions to the South Carolina Department of Corrections and for his vision, leadership, and commitment to the field of corrections.

Schedule of Audits

CYCLE 4 PREA Audit Schedule August 20, 2022, through August 19, 2025

CYCLE 4

Year 1 (August 20, 2022 - August 19, 2023)

Kirkland CI	September 7-9, 2022
McCormick CI	October 10-12, 2022
Manning CI	November 7-9, 2022
Goodman CI	November 15-17, 2022
Palmer CI	December 14-16, 2022
MacDougall CI	January 9-11, 2023
Allendale CI	February 6-8, 2023

Year 2 (August 20, 2023 - August 19, 2024)

Broad River (CI - SF)	August 28-30, 2023
Evans CI	September 18-20, 2023
Livesay CI	October 16-18, 2023
Tyger River CI	November 13-16, 2023
Lee CI	December 11-13, 2023
Perry CI	January 8-10, 2024
Ridgeland CI	February 5-7, 2024

Year 3 (August 20, 2024 - August 19, 2025)

Leath CI	August 26-28, 2024
Kershaw CI	September 23-25, 2024
Lieber CI	October 21-23, 2024
Camille Graham CI	November 11-13, 2024
Wateree River CI	December 9-11, 2024
Turbeville CI	January 6-8, 2025
Trenton CI	February 10-12, 2025

Note: Dates and times are subject to change.



*Audit in progress at
Allendale Correctional Institution*



*Audit in progress at
Allendale Correctional Institution*